

REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action dated October 30, 2007 (hereinafter Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account 50-0951.

Claims Rejections – 35 USC § 103

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,732,176 to Stewart, *et al.* (hereinafter Stewart '176), in view of U.S. Patent Application Publication No. 2003/0096633 to Goldberg (hereinafter Goldberg), and further in view of U.S. Patent No. 6,954,735 to Yoza, *et al.* (hereinafter Yoza). Claims 1, 5, 9, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,571,221 to Stewart (hereinafter Stewart '221), in view of Goldberg, and further in view of Yoza.

Although Applicants respectfully disagree with the claim rejections, Applicants have amended the claims so as to expedite prosecution of the present application. It is expressly noted, however, that the amendments should not be interpreted as the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 5, 9, and 13 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Aspects of Applicants Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a method for delivering an Application Service Provider (ASP) service to a wireless device in a personal area network (PAN).

The method can include providing an ASP delivery system connected to a computer communications network over a physical communications link medium and connected to the PAN via a short-range radio frequency communications link. The system is configured to deliver components of ASP services over short-range radio communications links to wireless devices in the PAN, and also to retrieve at least a portion of the components of the ASP services from ASPs in the computer communications network over the physical communications link medium when necessary. The components of the ASP services comprise a plurality of different software programs from among which a user of the wireless device selects and interacts with via a short-range radio communications link. See, e.g., Specification, p. 8, lines 3-16; see also Fig. 1.

The method also can include detecting a presence of the wireless device in the PAN by the ASP delivery system; establishing a short-range radio communications link with the wireless device in the PAN and verifying subscription of or offering subscription to the wireless device; transmitting to the wireless device over the short-range radio communications link a list of ASP services available in the ASP delivery system or retrievable from ASPs in the computer communications network; and receiving from the wireless device requests for at least one of the ASP services selected from the list of ASP services. See, e.g., Specification, p. 13, line 22 – p. 14, line 18; see also Fig. 5.

The method further can include, for each component of the selected ASP services, determining if the ASP delivery system can immediately deliver the component without

requiring retrieval of the component from ASPs and immediately delivering the component to the wireless device if retrieval of the component is not required; and, if the ASP delivery system cannot deliver the component without requiring retrieval of the component from the ASPs, retrieving the component for the at least one ASP service from one of the ASPs over the physical communications link medium. See, e.g., Specification, p. 14, line 19 – p. 15, line 2; see also Fig. 5.

The Claims Define Over the Cited References

As previously noted, independent Claims 1, 5, 9, and 13 were rejected as being unpatentable over the combination of Goldberg, Yoza, and either of Stewart '176 or Stewart '221. Applicants respectfully disagree and submit that Stewart '176 and Stewart '221 (hereinafter Stewart References), separately or in combination with any other reference of record, fail to disclose or suggest every element of Claims 1, 5, 9, and 13, as amended.

Steward '176 discloses a network system including a plurality of wireless and/or wired access points coupled to a network. In Steward '176 the wireless access points 120 are connected to a computer communications network 130 over a physical communications link medium and can be connected to wireless devices over wireless communications links. Steward '176, however, does not disclose that the wireless access points 120 are used for communicating with wireless devices in a personal area network (PAN) via short-range radio frequency communications links. Secondly, the wireless access points 120 in Steward '176 are not configured to deliver ASP services. In Steward '176, the wireless access points 120 merely determine the appropriate network provider using the identification information received from a wireless device and provide the wireless device network access to the network provider. More particularly, Steward '176 does not disclose that the wireless access points 120 can store ASP services locally and

can immediately deliver ASP services to a wireless device if retrieval of any component of the ASP services from the computer communications network is not required.

Stewart '221 discloses the use of digital certificates for the purposes of tracking sponsorship or membership information of users of the network as well as for computing billing services or network access services based at least partly on the sponsorship information. Clearly, the subject matter of Stewart '221 has nothing to do with the subject matter of the present invention, which concerns delivering an ASP service to a wireless device in a PAN. Particularly, Stewart '221 does not disclose a short-range radio frequency communications system and an ASP service delivery system that can store ASP services locally and can immediately deliver ASP services to a wireless device in the PAN if retrieval of any component of the ASP services from the computer communications network is not required.

The secondary references Goldberg and Yoza do not make up for the differences between the present invention and the Stewart References as discussed above.

Accordingly, the Stewart References, alone or in combination with any other reference of record, fail to disclose or suggest each and every element of Claims 1, 5, 9, and 13, as amended. Applicants therefore respectfully submit that amended Claims 1, 5, 9, and 13 define over the prior art. Furthermore, as each of the remaining claims dependents from Claim 1, 5, 9, or 13 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

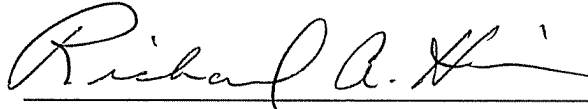
Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

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Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: January 30, 2008

A handwritten signature in cursive script, appearing to read "Richard A. Hinson", written in dark ink.

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